

IN THE UNITED STATES DISTRICT COURT FOR THE
MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION

A.S., a minor, by his next friends AMY A.,)
mother and JEFF S., father; and A.B., a)
minor, by her next friends JULIE B., mother)
and ROSS B., father,)

Plaintiffs,)

v.)

BILL LEE, in his official capacity as)
Governor of Tennessee, et al.,)

Defendants.)

NO. 3:21-cv-00600
JUDGE RICHARDSON

ORDER

Pending before the Court is Plaintiff A.S.’s Motion to Withdraw from Action (Doc. No. 61, “Motion”). The Motion seeks to drop as a party A.S., a minor, by his next friends Amy A., mother, and Jeff S., father. The Sixth Circuit has indicated that dismissal of a party is proper pursuant to Fed. R. Civ. P. 21. *AmSouth Bank v. Dale*, 386 F.3d 763, 778 (6th Cir. 2004). Rule 21 provides that the Court may at any time, on motion or on its own, add or drop a party. Fed. R. Civ. P. 21.

Rule 21 does not provide a particular standard for making such a determination, except to say that a court may add or drop a party at any time “on just terms.” The decision to dismiss a party is within the discretion of the court. *Carden v. Klucznik*, 775 F. Supp. 2d 247, 251 (D. Mass. 2011). Here, the Court has little difficulty concluding that the interests of justice support dropping the party as requested, given both its potential for increasing judicial efficiency in resolving this dispute and the absence of any objection.

Accordingly, the Motion is **GRANTED** and Plaintiff A.S., a minor, by his next friends Amy A., mother, and Jeff S., father, is hereby **DISMISSED** with prejudice.

IT IS SO ORDERED.



ELI RICHARDSON
UNITED STATES DISTRICT JUDGE